IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SEVENTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

-

WRIT PETITION NO : 9198 of 2000

Between:

S.V.Refractories and Ceramics, Rep. by its Proprietor
S.N.Ammallu, W/o. S.Durga Rao
R/o. S.V. Refractories Ceramics, C-90,
Industrial Estate, Visakhapatnam.

..... PETITIONER

AND

1 The Transmission Corporation of A.P. Limited,
Rep. by its Chairman, Vidyuth Soudha, Somajiguda,
Hyderabad.
2 The Asst Divisional Engineer, Lines of Division,
Visakhapatnam.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue writ, direction or order more particularly one in the nature of Writ of Mandamus declaring the proceedings of the second respondent bearing No.DE/O/Z.II/VSP/D.No.964/2000 dt. 26.4.2000 as illegal and without any jurisdiction and also vitiated by gross violation of principles of natural Justice and accordingly set aside the same.

Counsel for the Petitioner: MR.M.V.DURGA PRASAD

Counsel for the Respondents: Sri N.Subba Reddy, learned Senior Counsel for SMT.M.VINOBHA DEVI, S.C. for AP Transco

The Court made the following :

O R D E R :

Heard the learned counsel for the petitioner and Sri N.Subba Reddy, learned Senior Counsel appearing on behalf of the respondents.

The petitioner herein, which is an industry, seeks to assail the impugned action in respect of the meter dispute pertaining to the year 1999. Having regard to the principles laid down by the Division Bench of this Court in *Brilliant Industries Limited (Vaccines Division), Patancheruvu v. Transmission Corporation of A.P. Ltd., Hyderabad & others*, the remedy of the petitioner is to approach the Special Tribunal, which can go into the same and dispose of on merits.

In view of the same, the Writ Petition is dismissed with a liberty to the petitioner to approach the Special Tribunal, which shall go into all such objections raised by the petitioner and dispose of the matter on merits in accordance with law. No costs.

(B.Prakash Rao, J.)

27.01.2005

DRK

Copy to :

1 The Chairman, A.P.Transco., Vidyuth Soudha, Somajiguda, Hyderabad.
2 The Asst Divisional Engineer, Lines of Division, Visakhapatnam.

3 Two CD copies.

THE HON'BLE MR JUSTICE B.PRAKASH RAO

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